

**MENOMINEE TRIBAL LEGISLATURE – REGULAR
FEBRUARY 18, 2010
MENOMINEE TRIBAL OFFICE BOARD ROOM
KESHENA, WI 54135
5:00 P.M.**

MEMBERS PRESENT:

Laurie A. Boivin, Tribal Chairwoman
Randal Chevalier
Lynnette A. Miller
Myrna R. Warrington
Lisa S. Waukau
Bruce J. Pecore
Kenneth A. Fish
David A. Miller
Rebecca D. Alegria

1. Call to Order – Roll Call

Chairwoman Laurie Boivin called the Meeting to order at 5:00 PM. Roll Call was taken with a quorum present.

2. Menominee Prayer & Smudging Ceremony - Joey Awonohopay.

She welcomed everyone to the first meeting of this Legislative year, and stated that Joey Awonohopay is a family friend, and she has asked him to help the Tribal Legislature begin this Legislative year in a good way.

Joey offered the Menominee Prayer to the Creator and our Grandfathers in the Menominee language and then reiterated what he stated in English as he proceeded to smudge all the Tribal Leaders, the Executive Secretary, Tribal Attorney, and all others in the audience as he continued to pray.

3. Public Comment Period.

Tribal member, John Teller requested to make a public comment regarding the general topics of Tribal nature.

Because Mr. Teller's public comment was going over the three (3) minute rule Chairwoman Boivin informed him that he needed to wrap up his comments.

MOTION BY RANDAL CHEVALIER TO ALLOW MR. TELLER TO CONTINUE. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

Mr. Teller stated he was not aware of any rules, but finished what he had to tell the Tribal Legislature after the motion was made.

Tribal member, Frieda Bergeon requested to make three (3) public comments regarding child abuse in our schools, Washington D. C. comments, and the FMP meetings.

Tribal member, Audrey O'Kimosh requested to make a public comment regarding the motions passed at General Council.

Tribal member, Arlene Wayka requested to make a public comment requesting to move "other business" to number 4.

MOTION BY KENNETH FISH TO AMEND THE AGENDA TO BRING UP ITEM 21 “OTHER BUSINESS” TO BE HEARD AT THIS TIME. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 1 OPPOSED (CHEVALIER), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Chevalier qualified his opposition as follows: *“just believe that we have a full agenda here and I believe that we need to stick to the agenda.”*

MOTION BY REBECCA ALEGRIA TO TAKE UP NUMBER 21 “OTHER BUSINESS” FOR THE KESHENA/NEOPIT BOXING CLUB. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY KENNETH FISH THAT THE BUDGET UNDER ITEM 22 INCLUDE A LINE ITEM TO INCLUDE \$5,000 BALANCE FOR THE KESHENA/NEOPIT BOXING CLUB. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY MYRNA WARRINGTON TO GO TO ITEM NUMBER 22. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

22. 1ST Consideration of Amendment to Ordinance No. 09-16 Fiscal Year 2010 Tribal Budget.
(Sponsored by Legislator Chevalier.)

Legislator Warrington commented that the \$5,000 for the Neopit/Keshena Boxing Club would need to be added into number 49 of the Ordinance.

Administrative Service Manager, Jeremy Weso stated that the additional request for the Woodland Boys & Girls Club would also need to be implemented into the Ordinance.

MOTION BY REBECCA ALEGRIA TO APPROVE 1ST CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 09-16 FISCAL YEAR 2010 TRIBAL BUDGET, AND SEND TO PUBLIC HEARING ON MARCH 4, 2010 AT 4:30 P.M. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY MYRNA WARRINGTON TO ADD \$28,151 TO THE REQUEST FOR THE WOODLAND BOYS & GIRLS CLUB TO ORDINANCE NO. 09-16 (FY’ 2010 TRIBAL BUDGET). SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY LYNNETTE MILLER TO GO BACK TO THE REGULAR AGENDA. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

4. 1ST Consideration of Amendment to Ordinance No. 00-32 & 04-41 - Canceling Residential Lease Requests to Tribal Members.

MOTION BY REBECCA ALEGRIA TO APPROVE 1ST CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 00-32 AND 04-41 CANCELING RESIDENTIAL LEASE REQUEST AND SEND TO PUBLIC HEARING ON MARCH 4, 2010 AT 4:30 P.M. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 1 ABSTENTION (CHEVALIER), AND 0 ABSENT.

PLEASE NOTE: Legislator Chevalier qualified his abstention as follows: *“relative.”*

5. 1ST Consideration of Ordinance No. 10-01 Recreational Lease Requests to Tribal Members.

MOTION BY RANDAL CHEVALIER FOR 1ST CONSIDERATION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 10-01 RECREATIONAL LEASE REQUESTS AND MOVE IT TO PUBLIC HEARING ON MARCH 4, 2010 AT 4:30 P.M. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

6. 1ST Consideration of Ordinance No. 10-02 Residential Lease Requests to Tribal Members.

MOTION BY LYNNETTE MILLER TO APPROVE ORDINANCE NO. 10-02 RESIDENTIAL LEASE REQUESTS 1ST CONSIDERATION AND MOVE IT TO PUBLIC HEARING ON MARCH 4, 2010 AT 4:30 P.M. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 1 ABSTENTION (CHEVALIER), AND 0 ABSENT.

PLEASE NOTE: Legislator Chevalier qualified his abstention as follows: “relative.”

7. 1ST Consideration of Ordinance No. 10-03 Program Lease Requests to Menominee Tribal Housing Department Limited Partnership # 5 & # 6.

MOTION BY REBECCA ALEGRIA FOR 1ST CONSIDERATION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 10-03 PROGRAM LEASE REQUEST (MENOMINEE TRIBAL HOUSING DEPARTMENT LIMITED PARTNERSHIP # 5 & # 6 PLAYGROUNDS), AND MOVE IT TO PUBLIC HEARING ON MARCH 4, 2010 AT 4:30 P.M. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

8. 1ST Consideration of Ordinance No. 10-03 Program Lease Requests to Department of Transit Services.

MOTION BY RANDAL CHEVALIER FOR 1ST CONSIDERATION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 10-04 PROGRAM LEASE REQUEST (DEPARTMENT OF TRANSIT SERVICES), AND SEND TO PUBLIC HEARING ON MARCH 4, 2010 AT 4:30 P.M. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

9. 10-Day Waiver Request(s).

There were no 10-day waiver request(s) made at this time.

10. Proposal for External Audit Services - Internal Audit Director.

Internal Audit Director, Judi Hegewald informed the Legislature that the prices for auditing services this year as dropped by \$20,000 due the fact that we are at a low risk auditing.

MOTION BY RANDAL CHEVALIER TO APPROVE THE PROPOSAL TO EXTEND THE CONTRACT WITH MCGLADREY & PULLEN (CERTIFIED PUBLIC ACCOUNTANTS) FOR ANOTHER THREE (3) YEARS FOR THE PRICE REFLECTED IN THE QUOTE. (FY' 2010, 2011, & 2012 FOR EXTERNAL AUDITING SERVICES). SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

Legislator Waukau requested to comment to thank all the departments for all the hard work that they have done to make this happen.

11. Community Committee Appointments.

The Menominee Tribal Legislature voted by Ballots for the selection of the Community Committee members.

MOTION BY RANDAL CHEVALIER TO APPOINT SEAN P. HARTE TO THE BUDGET AND FINANCE COMMITTEE (AS A COMMUNITY MEMBER). SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY LISA WAUKAU TO APPOINT LISA GAST TO THE COMMUNITY DEVELOPMENT COMMITTEE (AS A COMMUNITY MEMBER). SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 1 ABSTENTION (BOIVIN), AND 0 ABSENT.

PLEASE NOTE: Chairwoman Boivin did not qualify her abstention.

MOTION BY LISA WAUKAU TO APPOINT RONALD G. BOWAN SR. TO THE ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE (AS A COMMUNITY MEMBER). SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY RANDAL CHEVALIER TO APPOINT ROSE M. PONFIL TO THE GOVERNMENTAL AFFAIRS COMMITTEE (AS A COMMUNITY MEMBER). SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY LYNNETTE MILLER TO APPOINT GERADETTE RICHMOND TO THE HEALTH AND FAMILY COMMITTEE (AS A COMMUNITY MEMBER). SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY REBECCA ALEGRIA TO APPOINT DEBRA A. BOWMAN AND LLOYD J. PECORE TO THE MENOMINEE HOUSING COMMITTEE (AS A COMMUNITY MEMBER). SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY RANDAL CHEVALIER TO APPOINT ANTOINE CHEVALIER TO THE LABOR, EDUCATION, AND TRAINING COMMITTEE (AS A COMMUNITY MEMBER). SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

12. Circle of Nations Appointment.

MOTION BY REBECCA ALEGRIA TO APPROVE HE REQUEST MADE BY THE WAHPETON INDIAN SCHOOL TO RE-APPOINT TONIA LYONS-WILBER TO THE CIRCLE OF NATIONS SCHOOL BOARD IN WAHPETON, NORTH DAKOTA FOR A 4-YEAR TERM. (FEBRUARY 2010 - FEBRUARY 2014). SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

13. Approval of Menominee Tribal Child Support Agency Program Income Policies and Procedures.

MOTION BY DAVID MILLER TO APPROVE THE MENOMINEE TRIBAL CHILD SUPPORT AGENCY PROGRAM INCOME POLICIES AND PROCEDURES. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

Tribal Social Services Director, Mary Husby and the Child Support Manager, Rosemund Hoffman requested that the Legislature establish policies for them to follow in regards to paternity testing, and in the event that parent is not the

biological parent that child's enrollment with the Tribe will change as well. At this time, Child Support has no way to correspond with the Enrollment Department; therefore, some kind of criteria needs to be developed to coincide with what the State guidelines and with the Tribe's guidelines.

14. Memorandum of Agreement between MITW and Aging Division - Transportation Director.

MOTION BY REBECCA ALEGRIA TO APPROVE THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN MENOMINEE INDIAN TRIBE OF WISCONSIN DEPARTMENT OF TRANSIT SERVICES AND MENOMINEE INDIAN TRIBE OF WISCONSIN AGING DIVISION TO ESTABLISH WORKING PROCEDURES BETWEEN DEPARTMENT OF TRANSIT SERVICES (DOT) AND AGING DIVISION (AD) TO PROVIDE SERVICES TO THE AGING (JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 UNLESS TERMINATED BY EITHER AGENCY). SECOND WAS MADE BY RANDAL CHEVALIER.

PLEASE NOTE: This motion was withdrawn, because Transportation Director, Shawn Klemens stated that he did not need a motion to approve the MOA. Instead, he requested that the Legislature approve the 85.215 Transportation grant agreement.

MOTION BY REBECCA ALEGRIA TO APPROVE THE 2010 SPECIALIZED TRANSPORTATION ASSISTANCE PROGRAM (S. 85.215) AGREEMENT AND AUTHORIZE THE TRIBAL CHAIRMAN TO SIGN, AND SHAWN KLEMENS THE TRANSPORTATION DIRECTOR TO SIGN, AND THE AGING DIVISION DIRECTOR DENISE POMMER TO SIGN. SECOND WAS MADE BY DAVID MILLER.

PLEASE NOTE: This motion was withdrawn, because it was unclear of what language in the motion was actually required for the grant application and the MOA.

MOTION BY REBECCA ALEGRIA TO APPROVE THE 2010 APPLICATION FOR \$22,500 FOR THE ELDERLY AND THE SCHOOL YEAR FY' 2010, AND APPROVE THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN MENOMINEE INDIAN TRIBE OF WISCONSIN DEPARTMENT OF TRANSIT SERVICES AND MENOMINEE INDIAN TRIBE OF WISCONSIN AGING DIVISION, AND AUTHORIZE THE SIGNATORIES. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

15. Set Special Joint Meeting with Menominee Tribal Enterprises on Forest Management Plan (FMP).

MOTION BY RANDAL CHEVALIER FOR APPROVAL TO AMEND THE AGENDA TO CHANGE THE TIME FOR THE SPECIAL JOINT MEETING (WITH MTE) FOR SATURDAY, FEBRUARY 27, 2010 AT 1:00 P.M. (NEOPIT COMMUNITY CENTER, NEOPIT, WI). SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 5 FOR, 3 OPPOSED (FISH, ALEGRIA, & PECORE), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Fish qualified his opposition for the record as follows: *"you've got an extension since 2005 till now. MTE has been uncooperative all these years and they had a duty and responsibility to develop that FMP prior to 2005, and they didn't do a lick of work prior to 2005 on that FMP. The MTL had to intervene and get the extension. Now with that extension we're at the witching hour again, and I appreciate the fact that MTE is now coming to the table, and I believe that I'm one of the Legislator's that knows a lot of those particular documents and the specifics of them. There aren't too many Legislator's here that can target those issues like I can. So at the pre-meeting that morning I can make it, because I did chance my schedule around, but I can't make it in the afternoon because I already changed my schedule. In addition to that the Legislator's that talk about adjusting their schedules, I see a lot of Legislator's, a lot of the time leave the meeting or don't come to the meeting or for whatever reason change their schedules, so again I think that's hypocrisy on individual parts."*

Legislator Pecore qualified his opposition as follows: *"I'd just like to say that I'm going to be there whenever wherever it doesn't matter, but like Legislator Warrington as mentioned we should be able to move our schedules,*

but they have that same opportunity to do that. Why are we jumping through hoops for them every time they change these meetings? That's the question I have to bring up."

Legislator Alegria qualified her opposition as follows: *"I based my decision on the official letter written by Adrian Miller President of MTE to Chairman Laurie Boivin and within that letter it states the board set the time for 10:00 a.m. at the Neopit Community Center."*

MOTION BY LISA WAUKAU TO SET A PRE-MEETING HERE AT THE TRIBAL OFFICE BOARDROOM FOR 10:00 A.M. ON SATURDAY, FEBRUARY 27, 2010 BEFORE THE MEETING WITH MTE AT 1:00 P.M., AND TO INCLUDE A STRATEGY SESSION IN EXECUTIVE SESSION. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 1 OPPOSED (FISH), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Fish qualified his opposition as follows: *"because I think it should be in open session."*

16. Set Special Goals & Objectives for Legislative Year 2010/2011.

MOTION BY RANDAL CHEVALIER TO SET A SPECIAL MEETING FOR GOALS AND OBJECTIVES FOR SATURDAY, MARCH 6, 2010 AT 10:00 A.M. AT THE COLLEGE OF MENOMINEE NATION CULTURE BUILDING WITH CHAD WAUKECHON OR BEAU MITCHELL AND JEREMY WESO AS A CO-FACILITATOR. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 1 OPPOSED (FISH), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Fish qualified his opposition as follows: *"even though I think that it's probably going to be a very fruitful session. The reason I oppose is, because I've been apart of several retreats, or legislative meetings that are facilitated by people, the Stockbridge meeting was facilitated. Bottom line is that we are the elected officials; we are supposed to be the individuals that lead this Tribe to the goals and objectives that we're going to accomplish. I think that we need to sit down in a room as Legislator's and develop those goals and objects, and if we don't know how to do that, then we shouldn't be here as a Legislature."*

Tribal Administrative Manager, Jeremy Weso requested to comment that in regards to any type of exercising that no facilitator will actually say this as to be your goal. It's only going to be a goal setting session.

Legislator Fish asked Mr. Weso for the record if he was opposed to the motion.

Mr. Weso stated, no he does not, but he stated that he does not believe that their intentions is to say that this has to be your goal.

17. Housing Director's Recommendations Regarding Rehab Projects, Wood Burners, Tax Credit Dollars and Stimulus Funding.

MOTION BY LISA WAUKAU THAT WE ADOPT ALTERNATIVE PLAN A (REQUEST TRIBAL ALLOCATION OF \$1,800 TO PURCHASE SPACE HEATERS FOR A DISCOUNTED RATE OF \$300 FOR SIX (6) SPACE HEATERS) WITH THE DOLLARS TO COME OUT OF THE CHAIRMAN'S BUDGET AND TO HAVE HOUSING PICKUP THOSE HEATING UNITS AT A DISCOUNTED RATE. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY MYRNA WARRINGTON TO IMPLEMENT ALSO ALTERNATIVE PLAN B TO GIVE A TRIBAL ALLOCATION OF \$6,000 FOR EMERGENCY FUNDS, AVAILABLE ONLY TO (HOUSING) TENANTS AWAITING FOR INSTALLATION (OF NEW WOOD BURNERS, AND ABLE TO DEMONSTRATE AN INABILITY TO PAY TO PURCHASE LP GAS. THIS WOULD BE A ONE-TIME

GRANT PER HOUSEHOLD OF A MAXIMUM OF \$300 AVAILABLE ONLY FOR THIS HEATING SEASON) WITH THE DOLLARS TO COME OUT OF THE CHAIRMAN'S BUDGET ONLY TO THOSE PEOPLE THAT ARE STILL IN NEED. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 5 FOR, 4 OPPOSED (PECORE, WAUKAU, CHEVALIER, & ALEGRIA), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Chairwoman Boivin voted in favor of the motion to break the tie.

PLEASE NOTE: Legislator Waukau qualified her opposition for the record as follows: *"we have a process set up for how we allocate dollars, and we do not have an unlimited supply of dollars sitting out there. This is a zero sum operation and whatever we take away over here is something we can't use over there. I think this woman and that Board had better get a handle on this operation, and I am just against this motion."*

Legislator Chevalier did not qualify his opposition.

Legislator Alegria qualified her opposition for the record as follows: *"agrees with Legislator Waukau."*

Legislator Pecore qualified his opposition as follows: *"I'm opposed, I think we need to look at it some more."*

MOTION BY RANDAL CHEVALIER TO SUSPEND THE LRP 5.12 ADJOURNMENT, AND CONTINUE ON WITH THE REGULAR AGENDA. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY RANDAL CHEVALIER TO PROHIBIT THE REMOVAL OF HOUSING DEPARTMENT WOOD BURNERS BETWEEN THE MONTHS OF OCTOBER TO MARCH FROM THIS POINT ON UNLESS THERE'S IMMEDIATE REPLACEMENT. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (WAUKAU), 1 ABSTENTION (D. MILLER), AND 0 ABSENT.

PLEASE NOTE: Legislator Waukau qualified her opposition as follows: *"I think we've spent enough time on these wood burning stoves to last a life time for anybody in this room."*

Legislator D. Miller did not qualify his abstention.

18. Menominee Conservation Commission Recommendation of February 8, 2010 - Vacant Commissioner Seat.

MOTION BY MYRNA WARRINGTON THAT WE POST FOR THE VACANT SEAT AND THE OTHER TERM THAT WILL BE VACANT IN JULY OF 2010 FOR THE MENOMINEE CONSERVATION COMMISSION FOR SIXTY (60) DAYS, AND THAT BACKGROUNDS ARE CHECKED, AND THEY MUST HAVE THE KNOWLEDGE OF CONSERVATION ACCORDING TO THE CRITERIA OF ORDINANCE 99-01. SECOND WAS MADE BY LYNNETTE MILLER.

PLEASE NOTE: This motion was withdrawn because there is going to be two (2) upcoming vacancies in July of 2010, and to establish criteria's for the Commission to follow in the future regarding vacancies or resignations.

MOTION BY RANDAL CHEVALIER TO SEND THE ISSUE OF APPOINTMENT AND CRITERIA FOR A CONSERVATION COMMISSION MEMBER TO THE ENFORCEMENT RESOURCE AND PROTECTION COMMITTEE FOR RESEARCH AND RECOMMENDATION. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 1 ABSTENTION (D. MILLER), AND 0 ABSENT.

PLEASE NOTE: Legislator D. Miller did not qualify his abstention.

19. Resolution No. 10-___ Authorized Signatories for Official Documents Required to Carry-Out the Daily Business of the Menominee Indian Tribe of Wisconsin.

MOTION BY LISA WAUKAU TO APPROVE RESOLUTION NO. 10-01 FOR THE AUTHORIZED SIGNATORIES FOR OFFICIAL DOCUMENTS REQUIRED TO CARRY-OUT THE DAILY BUSINESS OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN WAIVE THE READING, AND AUTHORIZE THE SIGNATORIES. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

20. Resolution No. 10-02 Resolution in Support of an Application to the U. S. Department of Health and Human Services - Administration for Native Americans.

MOTION BY RANDAL CHEVALIER FOR ADOPTION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 10-02 RESOLUTION IN SUPPORT OF AN APPLICATION TO THE U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES – ADMINISTRATION FOR NATIVE AMERICANS WAIVE THE READING, AND AUTHORIZE THE SIGNATORIES. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

21. Other Business: Matters of an Immediate Nature that Cannot Wait Until the Next Meeting.

MOTION BY RANDAL CHEVALIER TO ENTERTAIN THE FOLLOWING UNDER “OTHER BUSINESS: MATTERS OF AN IMMEDIATE NATURE THAT CANNOT WAIT UNTIL THE NEXT MEETING:” – 1) SET MEETING DATE FOR A JOINT MEETING WITH THE MOHICAN TRIBAL COUNCIL; 2) APPROVAL FOR MAEHNOWESEKIYAH RESIDENTIAL CENTER TO UTILIZE AN AREA FOR CRISIS DIVERSION (1 BED); 3) ADD TO THE AGENDA UNDER EXECUTIVE SESSION UNDER LEGAL (A) (3) STATE OFFICIAL TO MEET WITH TRIBE; 4) ADD TO THE AGENDA UNDER EXECUTIVE SESSION (A) (4) SUBPOENA DUCES TECUM; AND 5) ADD TO THE AGENDA UNDER EXECUTIVE SESSION (C) GAMING (2) KENOSHA UPDATES. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

1) Set Meeting Date for a Joint Meeting with the Mohican Tribal Council;

MOTION BY REBECCA ALEGRIA TO AUTHORIZE A SPECIAL MEETING IN MARCH WITH THE MENOMINEE TRIBAL LEGISLATURE (MTL) AND THE MOHICAN TRIBAL COUNCIL TIME AND DATE TO BE SET BY CHAIRWOMAN LAURIE BOIVIN AND PRESIDENT KIM VELE. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

2) Approval for Maehnowesekiyah Residential Center to Utilize an Area for Crisis Diversion (1 Bed);

There was concern with having this bed available at the Maehnowesekiyah Residential Center. Questions were asked who would be evaluating these clients; will a Psychiatrist be on staff; who will administer medication if needed; how will the staff monitor the clients; how will they be making the evaluations to EM1 a client to Brown County, and whom will be making that determination of what to do with the client. Questions were also asked about juveniles if they could be housed there as well.

3) Add to the Agenda under Executive Session under Legal (A) (3) State Official to Meet with Tribe;

This will be heard under Executive Session.

4) Add to the Agenda under Executive Session under (A) (4) Subpoena Duces Tecum; and

This will be heard under Executive Session.

5) Add to the Agenda under Executive Session (C) Gaming (2) Kenosha Updates.

This will be heard under Executive Session.

**23. 1st Consideration of Amendment to Ordinance No. 09-17 Fiscal Year 2010 Restricted - Use Budget
(Sponsored by Legislator Chevalier).**

MOTION BY LISA WAUKAU TO SEND 1ST CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 09-17 FISCAL YEAR 2010 RESTRICTED – USE BUDGET TO PUBLIC HEARING ON MARCH 4, 2010 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

24. Final Approval of Amendment to Ordinance 97-13 All Terrain Vehicle Regulations. (Sponsored by Legislator's Fish & Caldwell).

Due to several comments made during public hearing this item will be tabled to allow the Attorney's to review the public hearing meeting minutes, and implement any changes if needed into the Ordinance.

MOTION BY LISA WAUKAU TO *TABLE* (MENOMINEE NATION THE MENOMINEE TRIBAL LEGISLATURE AMENDMENT TO ORDINANCE NO. 97-13 ALL TERRAIN VEHICLE REGULATIONS). SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

25. Final Approval of Ordinance No. 09-21 Menominee Occupational Safety & Health. (Sponsored by Legislator's Boivin & Chevalier).

Due to the public hearing comments this item will be tabled to allow the Attorney's to review the public hearing meeting minutes, and implement any changes if needed into the Ordinance.

MOTION BY LISA WAUKAU TO *TABLE* MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 09-21 MENOMINEE OCCUPATIONAL SAFETY AND HEALTH. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

26. Final Approval of Ordinance No. 09-31 Menominee Indian Economic Development Authority. (Sponsored by Legislator's Boivin & Chevalier).

Due to the public hearing comments this item will be tabled to allow the Attorney's to review the public hearing meeting minutes, and implement any changes if needed into the Ordinance.

MOTION BY KENNETH FISH TO *TABLE* FINAL APPROVAL OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 09-31 MENOMINEE INDIAN ECONOMIC DEVELOPMENT AUTHORITY. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

27. Final Approval of Ordinance No. 09-31 Menominee Indian Economic Development Authority. (*Sponsored by Legislator's Boivin & Chevalier*).

Due to the public hearing comments this item will be tabled to allow the Attorney's to review the public hearing meeting minutes, and implement any changes if needed into the Ordinance.

MOTION BY MYRNA WARRINGTON TO *TABLE* (FINAL APPROVAL OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 09-32 DECLARATION OF STATE OF EMERGENCY). SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

28. Final Approval of Ordinance No. 09-33 Fiscal Year 2010 Kenosha Gaming Authority Budget. (*Sponsored by Legislator's Boivin & Chevalier*).

Due to the public hearing comments this item will be tabled to allow the Attorney's to review the public hearing meeting minutes, and implement any changes if needed into the Ordinance.

MOTION BY MYRNA WARRINGTON TO *TABLE* (MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 09-33 FISCAL YEAR 2010 KENOSHA GAMING AUTHORITY BUDGET). SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

29. Travel Authorization Requests.

MOTION BY RANDAL CHEVALIER TO AUTHORIZE TRAVEL FOR: 1) MILWAUKEE INDIAN SCHOOL INVITATION ON FEBRUARY 26, 2010 IN MILWAUKEE, WI FOR ONE (1) LEGISLATOR WHO WISHES TO ATTEND; 2) NATIONAL CONGRESS OF AMERICAN INDIANS TRIBAL NATIONS LEGISLATIVE SUMMIT ON MARCH 1 – 3, 2010 IN WASHINGTON, DC FOR LEGISLATOR PECORE AND LEGISLATOR ALEGRIA; AND 3) THE 43RD ANNUAL GOVERNOR'S CONFERENCE ON HOMELAND SECURITY AND EMERGENCY MANAGEMENT ON MARCH 30 – APRIL 1, 2010 (APPLETON, WI) FOR LEGISLATOR MYRNA WARRINGTON. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY LISA WAUKAU TO RECESS UNTIL TOMORROW AT 4:00 P.M. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 5 FOR, 4 OPPOSED (WARRINGTON, CHEVALIER, D. MILLER, & L. MILLER), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Chairwoman Boivin voted in favor of the motion to break the tie.

Meeting was recessed at 10:00 P.M. to February 19, 2010 at 4:00 P.M.

Respectively submitted by,



Debra A. Bowman, Recorder/Transcriber
EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE